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Attorneys for Defendant

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ARTHUR L. FISHER,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of
Social Security,

Defendant.

CIVIL NO. C-05-4383 VRW

STIPULATION FOR THE AWARD AND
PAYMENT OF ATTORNEY FEES UNDER
THE EAJA; AND ORDER

TO THE HONORABLE VAUGHN R. WALKER, CHIEF JUDGE OF THE DISTRICT
COURT:

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,
subject to the approval of the Court, that counsel for Plaintiff, as Plaintiff's assignee, be awarded
attorney fees under the Equal Access to Justice Act (EAJA) in the amount of THREE THOUSAND
TWO HUNDRED dollars (\$3,200.00). This amount represents compensation for all legal services
rendered on behalf of Plaintiff by his attorney in connection with this civil action for services before the
district court through remand, in accordance with 28 U.S.C. § 2412(d).

1 The stipulation is entered into for the sole purpose of settling all disputed claims regarding EAJA
2 and avoiding the expenses and risks of litigation. This stipulation constitutes a compromise settlement
3 of Plaintiff's request for EAJA attorney fees, costs and expenses. This stipulation does not constitute an
4 admission of liability on the part of Defendant under the EAJA. This stipulation does not settle or
5 compromise the question of whether Marc V. Kalagian may be, is, or should be the direct payee of an
6 award of fees, costs, and expenses under the EAJA in the absence or presence of an express or implied
7 assignment of such an award nor whether any such award is free from or subject to debts of Plaintiff, if
8 any, under the Debt Collection Act of 1996, 31 U.S.C. § 3716, or as to any issue regarding the
9 applicability of the Assignment of Claims Act, 31 U.S.C. § 3727.

10 Neither this agreement nor the substance herein shall, in full or in part, be quoted, cited or
11 referred to in any document filed in any case but the present one and it shall not, in full or in part, be
12 attached to any document filed in any case but the present one.

13 Payment of THREE THOUSAND TWO HUNDRED dollars (\$3,200.00) in EAJA attorney fees,
14 costs, and expenses to Marc V. Kalagian, as Plaintiff's assignee, shall constitute a complete release from
15 and bar to any and all claims Plaintiff may have relating to EAJA attorney fees and costs in connection
16 with this action. Any payment shall be made payable to Plaintiff's counsel as Plaintiff's assignee and
17 delivered to Plaintiff's counsel.

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1 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security Act
2 attorney fees, under 42 U.S.C. § 406(b). Any payment shall be made payable to Plaintiff's counsel as
3 Plaintiff's assignee and delivered to Plaintiff's counsel.

4 Respectfully submitted,

5 Dated: December 27, 2007

6 /s/ Marc V. Kalagian
7 (As authorized via email)
8 Marc V. Kalagian
9 Attorney for Plaintiff

10 Dated: December 27, 2007

11 SCOTT N. SCHOOLS
12 United States Attorney
13 LUCILLE GONZALES MEIS
14 Regional Chief Counsel, Region IX
15 Social Security Administration

16 /s/ Jacqueline A. Forslund
17 JACQUELINE A. FORSLUND
18 Special Assistant U.S. Attorney

19 Attorneys for Defendant

20 ORDER

21 APPROVED AND SO ORDERED.

22 DATED: January 7, 2008

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24 VAUGHN R. WALKER
25 UNITED STATES DISTRICT JUDGE
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